

PATENT
Atty. Dkt. No. ROC920010074US1
MPS Ref. No.: IBMK10074

REMARKS

This is intended as a full and complete response to the Office Action dated April 19, 2005, having a shortened statutory period for response set to expire on July 19, 2005. Please reconsider the claims pending in the application for reasons discussed below.

Status of the Claims and Claim Amendments

Claims 1-26 are pending in the application. Claims 1-26 remain pending following entry of this response. Claims 1 and 6 have been amended. Applicants submit that the amendments do not introduce new matter.

Further, since *Gamon* is not available as a reference (as explained below), the amendments are not being made to overcome art of record. Accordingly, the claims are entitled to their full range of equivalents. Further, Applicants submit the amendments apply only to those claims actually amended (and those depending therefrom). The amendments do not apply, by way of implication or suggestion, to any other claims.

Claim Rejections - 35 U.S.C. § 103

Claims 1-7, 10-15, 18-24 and 26 are rejected under 35 USC 103(a) as being unpatentable over US Pub. No. 2002/0054126 issued to *Gamon* in view of US Pat. No. 6,044,387 issued to *Angiulo et al.* (hereinafter *Angiulo*).

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of *Gamon* and *Angiulo* and further in view of US Pat. No. 6,658,626 as issued to *Aiken*.

Claims 9, 17 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of *Gamon* and *Angiulo* and further in view of US Pat. No. 5,388,993 issued to *McKiel et al.* (hereinafter *McKiel*).

Gamon was published on May 9, 2002. The present application was filed on June 15, 2001. Thus, *Gamon* is available as a reference only under 35 U.S.C. § 102(e). *Gamon* and the present invention, at the time the present application was made, owned by the same entity, or subject to an obligation of assignment to the same entity, as shown in a Statement of Common Ownership submitted herewith. Under 18 U.S.C. §

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103(c), the Statement of Common Ownership removes *Gamon* as a reference under 35 U.S.C. § 102(e). Therefore, Applicant respectfully requests that the rejection based upon *Gamon* be withdrawn and that claims 1-26 be allowed.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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